

In re Application of:	Date:	June 3, 2008
Vince Winstead	Group Art Unit:	3747
Serial No.: 10/805,644	Examiner:	Hyder Ali
Filed: March 19, 2004	Attorney Ref.	81100241
For:	A METHOD TO START ELECTROMECHANICAL VALVES ON AN INTERNAL COMBUSTION ENGINE	

BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

☐ **37 C.F.R. § 1.97(b)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief:

- (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); or
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
- (3) before the mailing of a first Office action on the merits; or
- (4) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

☒ **37 C.F.R. § 1.97(c)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, before the mailing of any of: a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

☐ A check in the amount of _____ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 01-1610.

☐ **37 C.F.R. § 1.97(d)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, on or before payment of the issue fee.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

☐ A check in the amount of _____ is enclosed.

☐ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account _____.

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO-1449.

If applicable, a legible copy of the following is being included:

- (1) Each foreign patent or published foreign patent application (identified by country or patent office, an appropriate document number, and the publication date), along with an English language abstract, English language explanation of relevance, or an English-language version of a foreign search report (where the subject references were first cited in a communication from a foreign patent office in a counterpart foreign application).
- (2) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication).

If there are any questions regarding this submission, please contact the undersigned.

Respectfully submitted,

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